

TREVOR G. JACKSON, SBN 241929  
LAW OFFICE OF TREVOR G. JACKSON  
707 Randolph Street, Suite 204  
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Attorney for Plaintiff BARRIE D. SANDY

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BARRIE D. SANDY, an individual,

Plaintiff,

v.

MARK C. McCLURE, an individual; PAULA  
R. WALLEM, an individual; JOY E.  
TARBELL, an individual, JOY TARBELL  
REALTY, LLC dba PRUDENTIAL JOY  
TARBELL REALTY, a New Hampshire limited  
liability company; MB EQUITY PARTNERS,  
LLC, a Delaware limited liability company;  
DOES 1 through 20,

Defendants.

) Case No. C 08-03052 SC

)  
) DECLARATION OF TREVOR G. JACKSON IN  
) SUPPORT OF APPLICATION TO CLERK FOR  
) ENTRY OF DEFAULT AGAINST DEFENDANT  
) MB EQUITY PARTNERS, LLC

I, Trevor G. Jackson, declare as follows:

1. I am an attorney at law duly licensed and admitted to practice in the State of California and this federal district, and the attorney of record herein for Plaintiff Barrie D. Sandy ("Plaintiff").

2. The statements set forth herein are true, correct, and within my personal knowledge, or, if stated on information and belief, are true and correct to the best of my information and belief. If called upon as a witness, I could and would testify as to the truth of these statements.

3. On June 23, 2008, Plaintiff filed his Complaint in this action.

4. On July 10, 2008, Defendant MB Equity Partners, LLC ("Defendant") was properly

1 served with the Summons, Complaint, and other case-related documents in this action in accordance  
2 with Rule 4(c) of the Federal Rules of Civil Procedure and Civil Local Rule 4-1, as evidenced by the  
3 proof of service on file with this Court, a true and correct copy of which is attached as Exhibit A.

4 5. The applicable time limit for responding to the complaint has expired, as follows:  
5 Under Rule 12(a)(1)(A) of the Federal Rules of Civil Procedure, Defendant was required to plead or  
6 otherwise respond to the Complaint by July 30, 2008, twenty (20) days from the date of service, but  
7 has failed to do so. The time to plead or otherwise respond to the Complaint has not been extended by  
8 any agreement of the parties or any order of the Court. Defendant has made no appearance in this case.

9 I declare under penalty of perjury that the foregoing is true and correct. Executed on the date  
10 below in the City and County of Napa, California.

11  
12 Dated: August 28, 2008

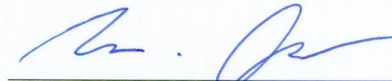
  
TREVOR G. JACKSON  
Attorney for Plaintiff Barrie D. Sandy

EXHIBIT A

TREVOR G. JACKSON, SBN 241929  
LAW OFFICE OF TREVOR G. JACKSON  
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Napa, California 94559-2950  
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Attorney for Plaintiff BARRIE D. SANDY

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BARRIE D. SANDY, an individual,

Plaintiff,

v.

MARK C. McCLURE, an individual; PAULA  
R. WALLEM, an individual; JOY E.  
TARBELL, an individual, JOY TARBELL  
REALTY, LLC dba PRUDENTIAL JOY  
TARBELL REALTY, a New Hampshire limited  
liability company; MB EQUITY PARTNERS,  
LLC, a Delaware limited liability company;  
DOES 1 through 20,

Defendants.

) Case No. C 08-03052 SC

)  
) CERTIFICATE OF SERVICE OF SUMMONS,  
) COMPLAINT, AND OTHER CASE-RELATED  
) DOCUMENTS ON DEFENDANT MB EQUITY  
) PARTNERS, LLC BY A REGISTERED  
) PROCESS SERVER

Attached is the Proof of Service of Summons and Complaint on Defendant MB Equity  
Partners, LLC by a registered Delaware process server.

Respectfully submitted,



TREVOR G. JACKSON

Attorney for Plaintiff Barrie D. Sandy

Dated: July 28, 2008

## UNITED STATES DISTRICT COURT

for the

Northern District of California

BARRIE D. SANDY, an individual

Plaintiff

MARK C. McCCLURE, an individual; PAULA R. WALLEM, an individual; JOY E. TARBELL, an individual; JOY TARBELL REALTY, LLC dba PRUDENTIAL JOY TARBELL REALTY, a New Hampshire limited liability company; MB EQUITY PARTNERS, LLC, a Delaware limited liability company; DOES 1 through 20

Defendants

Civil Action No.

CV 08

3052

SC

## Summons in a Civil Action

To: MB EQUITY PARTNERS, LLC

(Defendant's name)

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Trevor G. Jackson, Esq.  
Law Office of Trevor G. Jackson  
707 Randolph Street, Suite 204  
Napa, California 94559

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Richard W. Wieking

Name of clerk of court

Date:

JUN 23 2008

Deputy clerk's signature

MARY ANN BUCKLEY

Proof of Service

I declare under penalty of perjury that I served the summons and complaint in this case on MB Equity Partners LLC,  
by: Service Address: The Company Corporation, 2711 Centerville Rd. # 400, Wilmington, DE 19808

(1) personally delivering a copy of each to the individual at this place, \_\_\_\_\_; or

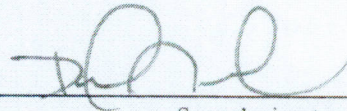
(2) leaving a copy of each at the individual's dwelling or usual place of abode with \_\_\_\_\_  
who resides there and is of suitable age and discretion; or

X (3) delivering a copy of each to an agent authorized by appointment or by law to receive it whose name is  
Mary Drumond, Managing Agent duly authorized to accept service; or  
Date Served: 7/10/08 Time Served: 2:58 PM

(4) returning the summons unexecuted to the court clerk on \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

Date: July 11, 2008



Server's signature

Daniel Newcomb, Process Server

Printed name and title

DELAWARE ATTORNEY SERVICES  
2000 Pennsylvania Avenue, Suite 207  
Wilmington, DE 19806 (302) 429-0657

Server's address

Documents served:

Summons; Complaint; Plaintiff's Certification of Interested Entities or Persons; Order Setting Initial Case Management Conference and ADR Deadlines; Clerk's Notice Re: Case Management Conference; Notice of Availability of Magistrate Judge to Exercise Jurisdiction; Form Re: Consent to Proceed Before a United States Magistrate Judge; Brochure Entitled "Consenting to a Magistrate Judge's Jurisdiction in the Northern District of California"; ECF Registration Information Handout; and U.S. District Court, San Francisco Guidelines

**PROOF OF SERVICE**

I, Christina K. Alpi, hereby declare:

I am employed in the County of Napa, State of California. I am over the age of eighteen (18) and not a party to the within action. My business address is 707 Randolph Street, Suite 204, Napa, California 94559.

On July 28, 2008, I served the foregoing document(s):

**CERTIFICATE OF SERVICE OF SUMMONS, COMPLAINT, AND OTHER  
CASE-RELATED DOCUMENTS ON DEFENDANT MB EQUITY PARTNERS,  
LLC BY A REGISTERED PROCESS SERVER**

on the interested parties in said action by placing a true copy thereof in a sealed envelope(s) addressed as follows:

**THE COMPANY CORPORATION**  
**2711 Centerville Road, Suite 400**  
**Wilmington, DE 19808-1646**  
*Registered Agent for Defendant MB EQUITY PARTNERS, LLC*

☒ (U.S. MAIL) by placing a true copy of the foregoing document(s) listed above in sealed envelopes with postage thereon fully prepaid, in the United States mail at Napa, California addresses as set forth below. I am readily familiar with the business' practice of collecting and processing correspondence for mailing. Under that practice it would be deposited with the United States Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one date of deposit for mailing in affidavit.

I declare under penalty of perjury that I am employed in the office of a member of the bar of this Court at whose discretion the service was made and that the foregoing is true and correct.

Executed on July 28, 2008, at Napa, California.

Christina K. Alpi  
Christina K. Alpi